

App No. _____

**In The
Supreme Court of the United States**

LEONARD W. HOFFMANN, et al.

Applicants,

v.

WBI ENERGY TRANSMISSION, INC.,

Respondent,

**On Application for an Extension of Time to File a Petition for a Writ of
Certiorari to the United States Court of Appeals for the Eighth Circuit**

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June 4, 2025

Counsel for Applicants

To the Honorable Brett M. Kavanaugh, as Circuit Justice for the United States Court of Appeals for the Eighth Circuit:

Applicants Leonard W. Hoffmann, Denae M. Hoffmann, Margaret A. Hoffmann, Rocky & Jonilla Farms, LLP, and Randall D. Stevenson respectfully request pursuant to Supreme Court Rule 13.5 that the time to file a Petition for Certiorari in this matter be extended by 45 days, up to and including August 7, 2025.

On March 24, 2025, the United States Court of Appeals for the Eighth Circuit entered an opinion and judgment vacating the district court's award of attorney's fees in this matter. *See* Appendix. As that opinion acknowledges, it creates a circuit split between the Eighth Circuit and at least four other federal courts of appeals: While other courts had previously (and unanimously) held that the proper measure of compensation in a condemnation under the Natural Gas Act should be determined by reference to state law, the Eighth Circuit disagrees, holding that the Act authorizes only whatever compensation is mandated under the Just Compensation Clause of the Fifth Amendment. Slip op. at 5 n.2. This Court now has jurisdiction to review a Petition for Writ of Certiorari under 28 U.S.C. § 1254(1) and Supreme Court Rule 10. That Petition is presently due on June 23, 2025, and this Application is filed more than 10 days prior to that date. *See* Supreme Court Rule 30.2.

Reasons for Granting an Extension of Time

Applicants retained the undersigned pro bono counsel only a few days ago, and new counsel therefore requests an extension of time to become fully familiar with the record and briefing below. In addition, Applicants' new counsel has significant

professional obligations during the month of June—with prior work commitments in New Jersey, South Carolina, and Texas—which will interfere with the preparation of the Petition. Counsel therefore requests an extension of 45 days—until August 7, 2025—to ensure the Petition is prepared with sufficient care.

Conclusion

Applicant requests that the time to file a petition for a writ of certiorari in this case be extended 45 days, to and including August 7, 2025.

Dated this 4th day of June, 2025.

Respectfully submitted,



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